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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,660****Complete if Known**

Application Number	09/815,573
Filing Date	03-22-2001
First Named Inventor	Hector F. DeLuca
Examiner Name	Shaojia A. Jiang
Group Art Unit	1617
Attorney Docket No.	1256-00721

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METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																																									
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> 7 Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number _____ Deposit Account Name _____				3. ADDITIONAL FEES Large Entity Small Entity <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>_____</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>_____</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>_____</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte reexamination</i></td><td>_____</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting a publication of SIR prior to Examiner action</td><td>_____</td></tr> <tr><td>112</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>_____</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>_____</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply with second month</td><td>_____</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td>920</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td>_____</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td>_____</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td>_____</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td>_____</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td>_____</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>_____</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>_____</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td>_____</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td>_____</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td>_____</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td>_____</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>_____</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td>_____</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td>_____</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>_____</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td>_____</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td>_____</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td>740</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Requests for expedited examination of a design application</td><td>_____</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1) (\$) _____</td> <td colspan="4" style="text-align: right;">Other fee (specify) _____</td> </tr> <tr> <td colspan="4" style="text-align: right;">** or number previously paid, if greater; For Reissues, see above</td> <td colspan="4" style="text-align: right;">SUBTOTAL (3) (\$) 1,660</td> </tr> <tr> <td colspan="8" style="text-align: center;">*Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	_____	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____	139	130	139	130	Non-English specification	_____	147	2,520	147	2,520	For filing a request for <i>ex parte reexamination</i>	_____	112	920*	112	920*	Requesting a publication of SIR prior to Examiner action	_____	112	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____	115	110	215	55	Extension for reply within first month	_____	116	400	216	200	Extension for reply with second month	_____	117	920	217	460	Extension for reply within third month	920	118	1,440	218	720	Extension for reply within fourth month	_____	128	1,960	228	980	Extension for reply within fifth month	_____	119	320	219	160	Notice of Appeal	_____	120	320	220	160	Filing a brief in support of an appeal	_____	121	280	221	140	Request for oral hearing	_____	138	1,510	138	1,510	Petition to institute a public use proceeding	_____	140	110	240	55	Petition to revive - unavoidable	_____	141	1,280	241	640	Petition to revive - unintentional	_____	142	1,280	242	640	Utility issue fee (or reissue)	_____	143	460	243	230	Design issue fee	_____	144	620	244	310	Plant issue fee	_____	122	130	122	130	Petitions to the Commissioner	_____	123	50	123	50	Processing fee under 37 CFR 1.17(q)	_____	126	180	126	180	Submission of Information Disclosure Stmt	_____	581	40	581	40	Recording each patent assignment per property (times number of properties)	_____	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	_____	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	_____	179	740	279	370	Request for Continued Examination (RCE)	740	169	900	169	900	Requests for expedited examination of a design application	_____	SUBTOTAL (1) (\$) _____				Other fee (specify) _____				** or number previously paid, if greater; 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Name (Print/Type)	Thomas M. Wozny			Registration No. (Attorney/Agent)	28,992	Telephone	414-271-7590																																																																																																																																																																																																						
Signature	<i>Thomas M. Wozny</i>				Date	08-09-2002																																																																																																																																																																																																							



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hector F. DeLuca et al

Application No. 09/815,573

Filed: March 22, 2001

Examiner: Shaojia A. Jiang

Group Art Unit: 1617

INCREASING PHOSPHORUS UPTAKE
FROM THE GUT OF DAIRY COWS BY
SUPPLEMENTING 1 α -
HYDROXYLATED VITAMIN D
COMPOUNDS

) CERTIFICATE OF MAILING

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Washington, D.C. 20231, on this 9th day
of August, 2002.

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Dorothy A. Hauser

Date

#11/C

August 9, 2002

AHO

8-28-02

AMENDMENT

Box: RCE
Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the advisory action in the Patent Office Action dated June 14, 2002, and the final rejection in the Office Action dated February 12, 2002, please enter the following in the above-identified patent application:

IN THE CLAIMS:

Please rewrite claim 1 as follows:

08-12-02

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PTO/SB/10 (6-2000)

Approved for use through 06/30/2001. OMB Control No. 1010-0401
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**REQUEST****FOR****CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number**09/815,573****Filing Date****March 22, 2001****First Named Inventor****Hector F. DeLuca****Group Art Unit****1617****Examiner Name****Shaojia A. Jiang****Attorney Docket Number****1256-00721**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RTE practice.

1. Submission required under 37 C.F.R. § 1.114a. Previously submittedi. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).ii. Consider the arguments in the Appeal Brief previously filed on _____

iii. Other _____

b. Enclosedi. Amendment/Replyii. Affidavit(s)/Declaration(s)iii. Information Disclosure Statement (IDS)iv. Other _____**2. Miscellaneous**a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. Other _____**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01.2000i. RCE fee required under 37 C.F.R. § 1.17(e) (\$740.00)ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$920.00)iii. Other _____b. Check in the amount of \$1,660.00 enclosed.

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/ Type)	Thomas M. Wozny	Registration No. (Attorney/Agent)	28,922
Signature	<i>Thomas M. Wozny</i>	Date	August 9, 2002

CERTIFICATE OF EXPRESS MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as EXPRESS MAIL - POST OFFICE ADDRESSEE, in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 9th day of August, 2000. The Express Label is EV097316181US.

Name (Print/ Type)	Dorothy A. Hauser		
Signature	<i>Dorothy A. Hauser</i>	Date	August 9, 2002

Page 1 of 1

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